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DIAMONDS AND WATCHES—ON CREDIT

Save 10 Per Cent This Week

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Store open every evening until Christmas for your convenience.

Rosenfield Jewelry Company

116 W. Main Street—Opposite Empress Theater.

SHIPPING CASE STATE VALUES OPINION GIVEN ARE SUSTAINED

If Under-Value Is Placed on Property Possible Resulting Claims Are Unsecured.

Where a shipper under-values property to be shipped for the purpose of securing a lower freight rate and enters into a stipulation with the carrying company that he will release the carrier from any liability over the amount set forth in the valuation, the law is being violated and subsequently if the shipper sustains damages from the shipment his contract with the carrier cannot be a means of action in a suit to recover, nor can the contract be a means of defense on the part of the carrier if the latter has knowledge of the fact that the property is under-valued.

This was held in an opinion by Commissioner Thacker of the supreme court commission No. 2 today. The case came up from Tillman county. John M. Minott sued the Frisco railroad company for damages to shipment Mount had made. The points expressed in the opinion were brought out in the lower court and the judgment of the latter coincided with the later opinion of Justice Thacker, and the lower court was affirmed. The words of the court on the particular point follows:

"An under valuation of property in fixing interstate rates based on value whereby the shipper obtains a lower tariff rate than the actual value of the property requires, is prohibited by law and stipulation in a shipper's contract for the release of a carrier from liability from loss of the property in excess of the amount at which such property is so under-valued, if the carrier has knowledge of such under valuation is void, and can neither be made the basis of an action nor a defense."

Other opinions by Commissioner Thacker are:

Samuel Aercraft vs. James S. Moffett, Osage county district court, reversed and remanded; Deles Brothers company vs. Chaney & Rickland, and A. H. Reed and C. E. Hawkins, Garfield county superior court, reversed and remanded; Charles and May DeVatteville, Canadian Valley Electric and Refrigerating company, C. T. Browning, Weeteks and Powers company, and the Irrigation Loan and Trust company, vs. R. O. Sims, Okfuskeee county district court, affirmed; The Berger Manufacturing company vs. School District No. 16 of Muskogee county, the Incorporated town of Haskell and the Muskogee Sheet Metal manufacturing company, Muskogee district court, dismissed; Thomas Taylor vs. Clyde Smith, Kingfisher county court, reversed and remanded; Liberty Towns of Grant county vs. the Rock Island, Grant county district court, affirmed; S. S. Snyder vs. Gist Johnson, Grant county district court, reversed and remanded.

Opinions by Commissioners Rittenhouse of supreme court commission No. 2:

The F. B. Collins Investment company vs. Ada Basley and the Great Western Life Insurance company, Harmon county district court, reversed and remanded; Will McKenna vs. Frank Albright, Bryan county district court, affirmed; S. P. Bishop and John Barely vs. Benjamin Prokter et al., Kay county court, reversed; J. R. Thor vs. H. L. Cone, L. T. Hodges and John Gilstrap Seminole county district court, reversed and remanded; M. L. Hodges vs. M. L. Alexander, Carter county court, reversed and remanded.

Opinions by Commissioners Rittenhouse of supreme court commission No. 2:

Walter Gilbert, assistant state highway commissioner has brought suits in Justice Earley's court in this city against 175 automobile owners who have failed to pay the tax of \$1 per year assessed against each owner of a machine.

The automobile tax has been due for some time and notice was given all owners, according to Mr. Gilbert. The suits are against owners of automobiles residing in Oklahoma county or city. In case judgment is secured against an owner he must not only pay the tax, but all costs in the case.

COLLECTING AUTO TAX

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Word was received here today of the death early this morning at Shawnee of J. M. Remington, former owner of the Remington Drug store. Mr. Remington was well known here, having been engaged in business for several years and being a member during that time of the Elks and the Masons at this place.

Routine business, including the approval of reports by the different county officials and the auditing of bills, occupied the attention of the county commissioners this morning.

The Fraternal Order of Eagles will give a charity ball at the Eagles hall on West First street tonight. The proceeds will be given to the widows and

MAYORS ASKED TO HELP FUND

Governor-Elect Williams Sends Letter Urging Appointment of Committees.

OLD CLOTHES NOT WANTED

Mayors of all cities and towns in Oklahoma are asked to appoint committees to co-operate with the Oklahoma Belgian Relief Fund committee in raising money and securing donations of flour and clothing for sufferers in the war zone of Belgium, letters sent out today by Ancel Earp, secretary to Governor-elect R. L. Williams.

Mrs. Earp desires to call special attention to the fact that second hand clothing cannot be shipped into Belgium, owing to rigid restrictions by the German government which controls that country.

Three boxes of second hand clothing were received at Judge Williams' apartments in the Lee-Huckins hotel today from S. M. McCusican, county superintendent of McClain county. Secretary Earp will ask Mr. McCusican for permission to donate the clothing to some charitable organization in this city. The letter which was sent out by direction of Governor-elect Williams as chairman of the State Belgian Relief Fund committee reads:

"The non-combatants in Belgium—men, women and children—are through no fault of their own, upon the verge of wholesale starvation. With their crops ruined their reserves of food supply exhausted, surrounded by a ring of steel, their hope lies in donations of food from this great neutral nation."

We write to you to name a committee to help in Belgium, which will take charge of local donations of food in co-operation with this body, so that there may be sent from this state shipments of food and clothing to help these suffering people.

"Clothing is very acceptable, as the winter is very severe and these people are forced to live in partially burned buildings and tents. However, no second hand clothing can be used, as there are so many difficulties to overcome in getting food and clothing into Belgium. Flour is in greater demand than any other article. This flour has to be shipped in a special sack prepared for this purpose. However, for every \$1.25 donated a fifty-pound sack of flour will be shipped, free of all cost, to Belgium and delivered to these people."

"Won't you please appoint a committee of good men and women in your city to take up this work, and have them report all contributions to Mr. G. G. Schilberg of Oklahoma City, who is treasurer of the state committee. Immediately upon receipt of contributions they will convert same into flour and it will be transmitted at once to Belgium."

PROCTOR HAS DENIAL

Husband Alleges that Wife Left Baby a Week at a Time and Went Automobile Riding With Men.

In answer to the cross-petition of his wife, Lillian E. Proctor, for divorce, Norbert E. Proctor alleges in a petition filed in the district court today that he was never guilty of using language in addressing his wife, but that she has become much addicted to the use of sulphurous epithets and has often assigned him to the lower regions in language which he asserts is wholly unfit to put on paper.

As to taking the baby, Norbert E. Proctor, Jr., away without the mother's knowledge and consent, Proctor asserts that he did no such thing, but that the defendant had full knowledge of his movements and has known at all times the whereabouts of their child and has never denied the privilege of seeing him. While the petitioner admits that from the tender years of the young son he ought to have the care of a mother, he sets forth the contention that the child is receiving far better attention with his grandmother than he ever did at home.

The petition contains a long recital of offenses by the defendant, including automobile rides with other men, their entertainment at the home of the Proctors and visits to hotels of the city in which the mother was absent from the baby a week at a time.

Opinion by Justice Eleckmore:

C. C. McKinney vs. City of Wagoner, Wagoner county district court, affirmed; Geary Milling and Elevator company vs. Daniel W. Lane, Seminole county district court, reversed with direction; E. A. Miller, R. L. Miller vs. Trump Barnett, A. J. Alston as guardian of Trump Barnett, David A. Lee and E. M. Cowherd, Muskogee county superior court, reversed.

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orphans of the deceased members of this order and also to the poor of the city. There will be good music and the floor is one of the best for dancing purposes in the city.

Elmer E. Brown, Joe Huckins, Sid

Y. L. Brock and several other of Ok

lahoma City's business men are at

tending the good roads meeting at El

Remington today.

President William Ribble, of the

Mutual Oil company has issued a

call for all interested in the

prospect of oil to be held in the

chamber of commerce assembly rooms

tonight.

Elmer E. Brown, secretary of the

district of commerce has accepted the

invitation of the State Bankers' associa-

tion to address them at the Lee-

Huckins hotel tonight at 8 o'clock.

Marriage licenses were issued yes-

terday afternoon and today to Edward

A. Bowell, 22, and Beulah Childs, 21,

of Oklahoma City, and W. E. Farran,

and Nina Voss, 21, of Oklahoma City.

Mr. D. L. Hays filed in the dis-

trict court this morning a petition asking for

\$5,150 damages from Sulzberger &

Son's packing company alleging that

in the performance of his duties as

employee of the company on October 14,

while he was filling a barrel with

steam to heat the water it contained,

the barrel burst, letting its contents

out and scalding the arms, legs and

face of the plaintiff.

Rev. E. T. Lane, Bible class, "The

Loyal Disciples," will meet in the

basement of University Place Chris-

tian church this evening. There will

be a short program after which a

plente dinner will be served. This class

has contributed \$116.20 to church and

Bible school during 1914 and has a

balance of \$116.20.

Mr. Remington is survived by a

wife. He was about 45 years of age

and a member of the Masons and oth-

er lodges.

WANTED—Woman or girl to take

care of baby. Phone Walnut 3830.

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